

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

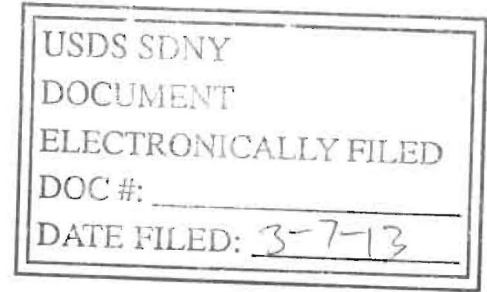
AKJTAR KHAN,

Plaintiff,

-v-

MIDLAND FUNDING LLC, *et al.*,

Defendants.



No. 12 Civ. 8462 (RJS)  
ORDER

RICHARD J. SULLIVAN, District Judge:

The Court is in receipt of three letters concerning this matter: (1) a letter from Defendant Rubin & Rothman, LLC ("R&R"), dated March 4, 2013, requesting a pre-motion conference regarding its anticipated motion for judgment on the pleadings pursuant to Federal Rule of Civil Procedure 12(c); (2) a letter from R&R, dated March 5, 2013, requesting a pre-motion conference in anticipation of filing a motion for sanctions against Plaintiff pursuant to Federal Rule of Civil Procedure 11; and (3) a joint letter from Plaintiff and R&R, also dated March 5, 2013, regarding Plaintiff's request for an order to compel discovery responses from R&R. Accordingly, IT IS HEREBY ORDERED THAT Plaintiff shall respond to R&R's letters regarding its anticipated Rule 12(c) and Rule 11 motions by Friday, March 8, 2013. IT IS FURTHER ORDERED THAT R&R and Plaintiff shall appear for a pre-motion conference on Thursday, March 21, 2013 at 5:15 p.m. Other Defendants who wish to appear at that conference may, of course, do so.

With respect to Plaintiff's request for an order to compel discovery, it appears from the parties' joint letter that there are no live, concrete discovery disputes at this time. Plaintiff seeks

an order (1) compelling answers to her requests for production; (2) compelling answers to her interrogatories; and (3) finding that R&R has waived all objections to requests for production and interrogatories by failing to respond in a timely manner. R&R, however, states in the joint letter that it has already responded to Plaintiff's interrogatories and that, by the close of business on March 5, it would have responded to Plaintiff's requests for production as well. As to the waiver of objections from R&R's late responses, the joint letter does not state whether R&R has actually raised objections. Accordingly, Plaintiff's request for an order compelling discovery is HEREBY DENIED without prejudice to renewal if discovery disputes in fact remain. In that event, the parties are instructed to submit a new joint letter setting forth the facts and law relevant to their disputes.

SO ORDERED.

DATED: New York, New York  
March 6, 2013

  
RICHARD J. SULLIVAN  
UNITED STATES DISTRICT JUDGE